



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Chicago District Office

JCK Federal Building
230 S. Dearborn, Suite 1866
Chicago, IL 60604
Chicago Direct Dial: (312) 872-9777
Enforcement/File Disclosure Fax: (312) 588-1260
Website: www.eeoc.gov

CHARGE NUMBER

440-2019-00517

Timothy Hoffstead
0S732 Myrtle St.
Winfield, IL 60190

Charging Party

v.

Northeast Illinois Regional Commuter Rail d/b/a METRA
547 West Jackson Blvd.
Chicago, IL 60661

Respondent

DETERMINATION

Under the authority vested in me by the Commission's Procedural Regulations, I issue the following determination on the merits of the subject charge filed under the Americans with Disabilities Act of 1990, as amended ("ADA").

Respondent is an employer within the meaning of the ADA and all requirements for coverage have been met.

Charging Party alleges that Respondent discriminated against him because of his disability by suspending and demoting him, in violation of the ADA.

I have determined that the evidence obtained in the investigation establishes reasonable cause to believe that Respondent discriminated against Charging Party because of his disability by suspending and demoting him, in violation of the ADA.

This determination is final. When the Commission finds that violations have occurred, it attempts to eliminate the alleged unlawful practices by informal methods of conciliation. Therefore, I invite the parties to join with the Commission in reaching a just resolution of this matter. Disclosure of information obtained by the Commission during the conciliation process will be made only in accordance with the Commission's Procedural Regulations (29 CFR Part 1601.26).

If Respondent wishes to accept this invitation to participate in conciliation efforts, they may do so at this time by proposing terms for a conciliation agreement; that proposal should be provided to the Commission representative within 14 days of the date of this determination. The remedies for violations of the statutes we enforce are designed to make the identified victims whole and to

Charge No. 440-2019-00517

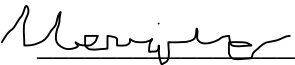
Page 2

provide corrective and preventive relief. These remedies may include, as appropriate, an agreement by Respondent to not engage in unlawful employment practices, back pay, restoration of lost benefits, injunctive relief, compensatory and/or punitive damages, and notice to employees of the violation and the resolution of the claim.

Should Respondent have further questions regarding the conciliation process or the conciliation terms they would like to propose, we encourage them to contact the assigned Commission representative. Should there be no response from Respondent in 14 days, we may conclude that further conciliation efforts would be futile or nonproductive.

On behalf of the Commission:

_____3/26/2020_____
Date

_____
FOR
Julianne Bowman
District Director